and 1983 were avoidable. In other words, the high ratios recorded during this period must have reflected intentional design decisions of Philip Morris.

The second example of commercialization involves the king-size—85 millimeter—Merit Ultra Light. This cigarette was introduced in 1981 as a low-delivery cigarette. Its nicotine/tar ratio, however, was not the natural ratio of 0.07. Instead, like the Benson & Hedges cigarette, its nicotine/tar ratio was elevated. Specifically, the ratio was again 0.11—the level recommended by the Philip Morris researchers.

A chart again illustrates this point.

CURRENT EVIDENCE OF MANIPULATION

The evidence I have reviewed appears to show beyond a reasonable doubt that Philip Morris manipulated the nicotine levels in cigarettes sold to the American public in the late 1970's and early 1980's. Is there evidence that Philip Morris continues this manipulation today?

Recent data from the Federal Trade Commission is telling. It shows that the nicotine/tar ratio in the Merit Ultra Light cigarette has remained elevated. For instance, from 1988 through 1993, the nicotine/tar ratio in king-size Merit Ultra Light cigarettes sold in soft packs was 0.10—virtually the same elevated level as in 1981. This strongly suggests continued manipulation in this cigarette brand by Philip Morris.

There is one caveat in the recent data that should be noted. Starting in 1988, the FTC stopped doing its own tar and nicotine testing and instead began to rely on data submitted by the tobacco industry. The tobacco industry data is not as precise as the previous data. For this reason, it is possible that the actual nicotine/tar ratio in Merit Ultra Lights from 1988 to 1993 could deviate somewhat from the reported level.

Manipulating FTC nicotine deliveries is only one of several ways to manipulate the amount of nicotine received by the smoker. For instance, the amount of nicotine absorbed by a smoker can be increased without changing the FTC nicotine delivery by increasing the alkalinity—or pH—of smoke. Alternatively, changes in filter design, such as using ventilation holes that are covered by a smoker's lips, can be used to increase nicotine intake without affecting the FTC nicotine delivery.

I have tried to investigate whether Philip Morris uses these or other techniques to manipulate nicotine in cigarettes sold to the American public. Unfortunately, as I mentioned earlier, Philip Morris has not cooperated with this investigation. As a result, the full extent to which Philip Morris manipulates nicotine in its cigarettes is still unknown.

CONCLUSION

Today, another 3,000 children will begin to smoke. One third of these children will become addicted to nicotine and eventually die from lung cancer, heart disease, or other illness caused by smoking.

We have it in our power to protect these children. Voluntary agreements with the tobacco industry will not work. The tobacco industry has pledged for decades to stop selling cigarettes to children, but it never does. In the last 3 years, despite the industry's pledges, the teen smoking rate actually increased by 30 percent.

The answer is commonsense regulation by an independent Federal agency—the Food and Drug Administration. We cannot trust the tobacco companies to determine when an advertisement is targeted at children. They continue to insist that Joe Camel is geared to adults. Only the FDA can make these determinations.

Ultimately, the question in front of President Clinton, the Members of this body, and the American people is a political question—not a legal or factual one. We must decide whether we are going to protect the health of our children or the profits of the Nation's most powerful special interest, the tobacco companies.

We are at a historic moment in the history of tobacco control. If we miss this opportunity, we will lose another generation of kids to nicotine addiction. I therefore call upon my colleagues to study the evidence I am presenting and to reject any legislative effort to block commonsense regulation.

Let us show the American people—and especially the children of this Nation—that we will represent their interests, not the special interests of the tobacco companies.

Mr. Speaker, I have brought with me the documents I read from during the course of this hour, as well as the analysis of Dr. Kozlowski. Pursuant to my earlier unanimous consent request, I am inserting these documents into the RECORD for publication.

Mr. Speaker, I submit the following documents for the RECORD.

[The documents will appear in a future issue of the RECORD.]

□ 1315

RECESS

The SPEAKER pro tempore (Mr. EVERETT). Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 1 o'clock and 36 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COMBEST) at 2 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COMBEST). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate later today.

DISTRICT OF COLUMBIA EMERGENCY HIGHWAY RELIEF ACT

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2017), to authorize an increased Federal share of the costs of certain transportation projects in the District of Columbia for fiscal years 1995 and 1996, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2017

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''District of Columbia Emergency Highway Relief Act''.

SEC. 2. DISTRICT OF COLUMBIA EMERGENCY HIGHWAY RELIEF.

(a) TEMPORARY WAIVER OF NON-FEDERAL SHARE.—Notwithstanding any other law, during fiscal years 1995 and 1996, the Federal share of the costs of an eligible project shall be a percentage requested by the District of Columbia, but not to exceed 100 percent of the costs of the project.

(b) ELIGIBLE PROJECTS.—In this section, the term ''eligible project'' means a highway project in the District of Columbia—

(1) for which the United States—

(A) is obligated to pay the Federal share of the costs of the project under title 23, United States Code, on the date of enactment of this Act; or

(B) becomes obligated to pay the Federal share of the costs of the project under title 23, United States Code, during the period beginning on the date of the enactment of this Act and ending September 30, 1996;

(2) which is—

(A) for a route proposed for inclusion on or designated as part of the National Highway System; or

(B) of regional significance (as determined by the Secretary of Transportation); and

(3) with respect to which the District of Columbia certifies that sufficient funds are not available to pay the non-Federal share of the costs of the project.

SEC. 3. DEDICATED HIGHWAY FUND AND REPAYMENT OF TEMPORARY WAIVER AMOUNTS.

(a) ESTABLISHMENT OF FUND.—Not later than December 31, 1995, the District of Columbia shall establish a dedicated highway fund to be comprised, at a minimum, of amounts equivalent to receipts from motor fuel taxes and, if necessary, motor vehicle taxes and fees collected by the District of Columbia to pay in accordance with this section the cost-sharing requirements established under title 23, United States Code, and to repay the United States for increased Federal shares of eligible projects paid pursuant to section 2(a). The fund shall be separate from the general fund of the District of Columbia.

(b) PAYMENT OF NON-FEDERAL SHARE.—For fiscal year 1997 and each fiscal year thereafter, amounts in the fund shall be sufficient to pay, at a minimum, the cost-sharing requirements established under title 23, United States Code, for such fiscal year.